## City of Seattle

### Office of City Auditor



Susan Cohen, City Auditor

February 18, 2003

The Honorable Greg Nickels Seattle City Councilmembers City of Seattle Seattle, Washington 98104

Dear Mayor Nickels and City Councilmembers:

Attached is our report on *Improving the City's Citizen Complaint Resolution Process*. The primary objectives of the review were to determine whether the City effectively responds to routine citizen complaints to minimize confusion or delays, and effectively resolves complaints regarding complex and recurring policy or operational issues involving multiple City agencies or public jurisdictions. We also considered whether the current complaint resolution processes could be improved to enhance citizen understanding and confidence in City government.

Based on the results of a citizen satisfaction survey conducted during the audit review, we concluded that survey respondents were generally satisfied with the effectiveness and timeliness of the Citizens Service Bureau's complaint-handling practices. However, the respondents indicated that other City agencies could improve complaint procedures, particularly the frequency and timeliness of communications.

We also determined that City agencies approach complex and recurring complaints innovatively and cooperatively. City agencies have effectively developed task forces and other complaint-specific approaches to resolve many of these issues. The effectiveness of the City's processes to identify and implement resolutions, however, varies due to the unique or ongoing nature of complex complaint issues. Given the complexity of some City operations and recurring complaint issues, we concluded that an ombudsman function could further enhance citizen understanding and confidence that the City resolves complaints objectively and equitably.

Sincerely,

Susan Cohen City Auditor

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# IMPROVING THE CITY'S CITIZEN COMPLAINT RESOLUTION PROCESSES

### **FEBRUARY 18, 2003**

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#### **CHAPTER 1: INTRODUCTION AND SUMMARY**

Citizen complaints are an important source of information for City decision-makers because they often draw attention to public programs and activities that need to be improved. Citizen complaints range from simple requests for information to complex issues that require in-depth investigations, analysis of policy or procedural issues, coordination of multiple agencies' actions, and/or interventions by City officials.

The Office of City Auditor reviewed select City's processes for responding to citizen complaints about City services. We reviewed the processes for handling both common and complex citizen complaints, including recurring complaints that involved multiple City departments or specialized task forces. The primary objectives of the review were to determine whether the City:

- Effectively responds to common citizen complaints to minimize confusion or delays;
- Can enhance complaint resolution processes to increase citizen understanding and confidence in City government; and
- Effectively resolves complaints regarding complex and recurring policy or operational issues involving multiple City agencies or public jurisdictions.

Chapter 2 of this report presents our analysis, which is based on best practices research and the results of a citizen complaint survey conducted by the Office of City Auditor in 2002 to measure citizen satisfaction with the City's complaint processes. Techniques for resolving selected complex policy or operational issues and complaints are also addressed in Chapter 2.

#### **RESULTS IN BRIEF**

Based on our review of the City's established complaint resolution processes, we determined that:

- > Survey respondents were generally satisfied with the effectiveness and timeliness of the Citizens Service Bureau's complaint-handling practices. However, the respondents indicated that other City agencies could improve complaint procedures, particularly the frequency and timeliness of communications.
- Although Seattle citizens were generally satisfied with the effectiveness of the City's complaint-handling practices, an ombudsman function could further enhance citizen understanding and confidence that the City resolves complaints objectively and equitably, particularly those involving complex policy and operational issues.

<sup>&</sup>lt;sup>1</sup>Each City department has developed internal complaint-handling procedures. This review focuses on complaints handled by the Citizens Service Bureau, and the departments of Design, Construction and Land Use, Parks and Recreation, Seattle City Light, Seattle Public Utilities, and Seattle Transportation.

➤ City agencies approach complex complaints innovatively and cooperatively, and the City has effectively developed task forces and other complaint-specific approaches to respond to many complex and recurring issues. The effectiveness of the City's processes to identify and implement resolutions, however, varies due to the unique or ongoing nature of complex complaint issues.

#### SCOPE AND METHODOLOGY

The Office of City Auditor initiated a review of the City's complaint resolution practices in May 2002 to determine whether the City responds to citizen complaints efficiently and effectively, and to identify potential improvements to the complaint-handling process. During the review, the Office of City Auditor:

- Observed Citizens Service Bureau's established processes that address citizen inquiries and complaints;
- Interviewed managers and staff from City agencies that frequently interact with citizens on both routine and complex complaints, including the Department of Neighborhoods, Citizens Service Bureau, Department of Design, Construction and Land Use, Seattle City Light, Seattle Public Utilities, and Seattle Department of Transportation;
- ➤ Reviewed and analyzed monthly and annual Citizens Service Bureau reports, and complaint reports, files, and other documentation provided by City departments that extensively deal with citizens on service requests or issues that may be elevated to complaints;
- ➤ Conducted a survey of citizens, who filed complaints with the Citizens Service Bureau between May 2001 and June 2002, to measure citizen satisfaction with the City's complaint processes;
- > Surveyed four state and local government jurisdictions to obtain comparative data regarding citizen satisfaction with complaint management processes; and
- > Conducted research regarding best practices for public sector complaint management and specialized ombudsman functions.

The review of the City's complaint resolution practices was conducted between May and December of 2002 in accordance with generally accepted government auditing standards.

#### **CHAPTER 2: IMPROVING COMPLAINT RESOLUTION PROCESSES**

Resolving citizen complaints in an effective, timely, and fair manner can strengthen citizens' confidence in the City. The City has established both centralized and department-level response processes to resolve complaint issues. The Citizens Service Bureau within the Department of Neighborhoods serves as a centralized, complaint resource to assist citizens in working with City officials and departments to resolve complaints.<sup>2</sup> City departments that frequently interact with citizens have also established internal complaint processes to respond to citizen complaints.

Based on the analysis, we determined that survey respondents were generally satisfied with the effectiveness of the Citizens Service Bureau's complaint-handling practices, but were interested in improving complaint procedures in some City departments. This chapter analyzes the City's complaint processes based on our 2002 citizen complaint survey, best practices research, and information provided by City departments regarding select complaints. We also present conclusions and recommendations to improve the management of citizen complaints.

#### AN EFFECTIVE COMPLAINT SYSTEM

According to our best practices research, an effective complaint system that ensures complaint issues are thoroughly and fairly reviewed is generally comprised of three stages.

Stage 1. During the first stage, frontline department personnel attempt to resolve issues directly. Resolving complaints on first contact builds confidence in City departments' effectiveness and minimizes costs by eliminating the need for additional contacts and staff time.

Stage 2. A complaint progresses to the second stage if complainants are dissatisfied with the initial attempts to resolve their issues. A department manager or internal complaint officer, not previously involved with the issue, typically conducts the complaint review. During the second stage, the department may reconsider its initial decision or action to resolve the complaint.

Stage 3. If a second-stage complaint remains unresolved, an investigator outside of the department conducts a third-stage investigation. The third-stage complaint officer must consider the merits of the complaint from both the complainant's and the department's points of view to determine whether a satisfactory remedy is available.

The City's complaint-handling process generally adheres to the three-stage complaint resolution model. A citizen's first contact is with or directed to the responsible City department, and City departments are often able to resolve issues at either the first or second stage of the complaint process. The Citizens Service Bureau, which works closely with the Mayor's Office, often serves as a third-stage resource<sup>3</sup> that citizens may contact to seek a second opinion or alternate

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<sup>&</sup>lt;sup>2</sup>The Citizens Service Bureau provides information and referral services about City operations to the public; follows up on citizens' service delivery requests; facilitates communications between citizens and departments; and performs complaint investigations. The Citizens Service Bureau responded to 61,000 citizen contacts in 2002. 
<sup>3</sup>Citizens may also contact City Councilmembers as a third-stage resource. Councilmembers generally initiate independent reviews or refer complainants to the Citizens Service Bureau for further review.

resolution of complaint issues. (Appendix 1 displays the Citizens Service Bureau's complaint process from the initial citizen contact to the final resolution.)

#### CONCLUSIONS AND SUGGESTIONS

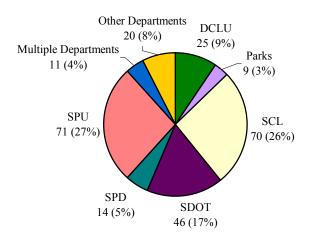
The Office of City Auditor developed the following conclusions and suggestions regarding the City's citizen complaint processes based on the results of a citizen satisfaction survey.

# Conclusion 1: Seattle Citizens Were Generally Satisfied with the Effectiveness of the Citizens Service Bureau's Complaint-Handling Procedures, but Were Interested in Improved City Department Complaint Practices.

The Office of City Auditor reviewed and analyzed a targeted sample of 266 citizen contacts entered into the Citizens Service Bureau database between May 2001 and June 2002. Again, citizens often contacted the Citizens Service Bureau after the initial attempt to resolve issues with City departments. The targeted sample excluded citizen requests for general information, anonymous complaints or service requests, and complaints that were outside the scope of the review (e.g., issues regarding Seattle Public Schools).

Exhibit 1 below displays the distribution of the 266 sample complaints by City department. Seventy (70) percent of the complaints involved three agencies: Seattle Public Utilities (27 percent), Seattle City Light (26 percent), and Seattle Department of Transportation (17 percent).

EXHIBIT 1
CITIZEN COMPLAINTS BY DEPARTMENT



Department Legend: DCLU = Design, Construction and Land Use; Parks = Parks and Recreation; SCL = Seattle City Light; SPD = Seattle Police Department; SDOT = Seattle Department of Transportation; and SPU = Seattle Public Utilities. Single responses that combined multiple City agencies are designated as "Multiple Departments" in the chart.

Source: Citizens Service Bureau Complaint Database, 2001 to 2002.

Exhibit 2 below displays the 266 citizen requests and complaints addressed by the Citizens Service Bureau by type of issue.

EXHIBIT 2 SUMMARY OF CATEGORY AND VOLUME OF CITIZENS SERVICE BUREAU CONTACTS (MAY 2001 TO JUNE 2002)		
CATEGORIES OF CONTACTS	VOLUME	
Lack of City department action or lengthy delay in action regarding routine service requests such as garbage pickup, streetlight replacements, towing abandoned vehicles, street cleaning, street repairs, and permit issues.	136 (51%)	
Billing issues, including errors and dissatisfaction with City departments' internal appeal processes.	50 (19%)	
Poor communication or customer service responses by City departments, including lack of response to voice mails or letters, rude telephone manners, interruptions of service, inconsistent information, and inability to locate the responsible City contact.	47 (18%)	
Complaints regarding City policies, including renovation and maintenance of City-owned property and vegetation; disagreements over land use codes, building permits and easements; other code violations; and City policies regarding homelessness issues.	33 (12%)	
Total Complaints—May 2001 to June 2002	266 (100%)	
Source: Citizens Service Bureau Complaint Database, 2001 to 2002.		

As shown in Exhibit 2 above, a significant majority (88 percent) of the selected Citizens Service Bureau complaints consisted of citizen requests for routine services or questions regarding services provided by City departments. Policy issues or concerns regarding City departments' application of policies comprised the remaining 12 percent of the selected contacts. Complaints in this category include those related to complicated or ambiguous land use and neighborhood planning policies, as well as City departments' operational policies and procedures.

#### CITIZEN SATISFACTION SURVEY RESULTS

In evaluating the effectiveness of the City's complaint processes, the Office of City Auditor developed a citizen satisfaction survey to solicit direct input from Seattle citizens.<sup>4</sup> The survey instrument was based upon current industry best practices and similar surveys from other local government citizen complaint agencies. The survey also focused on identifying potential improvements to City complaint-handling processes.<sup>5</sup>

In the first section of the citizen complaint survey, survey respondents evaluated the City's complaint processes by indicating how strongly they agreed or disagreed with seven statements that were designed to measure satisfaction with various aspects of the City's complaint

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<sup>&</sup>lt;sup>4</sup>The Office of City Auditor designed the citizen satisfaction survey in cooperation with the Citizens Service Bureau. The survey was administered to 239 complainants drawn from the selected 266 citizen contacts filed between May 2001 and June 2002. We excluded 27 complainants from the final sample due to incomplete or outdated contact information, or because individual complainants had multiple contacts listed in the database. We received 69 responses for a 29 percent response rate.

<sup>&</sup>lt;sup>5</sup>Best practices information was collected from more than a dozen federal, state, and local government agencies, including Kansas City, Phoenix, San Jose, and Toronto. Four additional agencies are identified in Exhibit 5.

processes. Respondents were asked to name the City agency or agencies they had worked with to resolve a complaint. The 69 survey respondents provided 108 ratings, which included 27 ratings for the Citizens Service Bureau and 81 ratings for other City departments. Survey respondents, who worked with multiple departments, completed the first section for each City department involved in the complaint process. Percentages of respondents indicating satisfaction with various aspects of the City's complaint processes are presented in Exhibit 3 below for both the Citizens Service Bureau and City departments. (Appendix 2 contains more detailed survey results.)

EXHIBIT 3 CITIZEN SATISFACTION WITH CITY COMPLAINT PROCESSES			
Survey Statements	Citizens Service Bureau	Other City Departments	
I understood the complaint-handling process.	80%	58%	
My complaint was responded to in a timely manner.	81%	39%	
I was treated fairly.	85%	49%	
I was treated courteously.	89%	65%	
I am satisfied with the overall service I received.	63%	39%	
I am satisfied with the outcome of my complaint.	72%	44%	
I understood the policy that affected the outcome of my complaint.	67%	52%	

Note: City departments rated were Seattle City Light; Design, Construction and Land Use; Executive Administration; Parks and Recreation; Seattle Department of Transportation; Human Services; Law; Seattle Police Department; and the Seattle Municipal Courts.

Source: Office of City Auditor Citizen Complaint Process Survey Results, August 2002.

As shown in Exhibit 3 above, the survey results reflected a high level of citizen satisfaction with the Citizens Service Bureau's complaint services. Survey respondents most frequently provided positive ratings for fair treatment (85 percent) and courteous treatment (89 percent) offered by the Citizens Service Bureau. The ratings also indicated that lower percentages of survey respondents were satisfied with the overall services received (63 percent) or understood the City policies that affected the outcomes of their complaints (67 percent). The low overall service ratings for the Citizens Service Bureau may reflect the survey respondents' lower satisfaction with City departments, which citizens frequently contacted prior to requesting assistance from the Bureau.

Survey respondents' ratings for other City departments' complaint services were consistently lower than the ratings for the Citizens Service Bureau. The ratings provided by survey respondents ranged from a high of 65 percent for courteous treatment to a low of 39 percent for the timeliness of responses and satisfaction with City departments' overall service.

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<sup>&</sup>lt;sup>6</sup>The 69 survey respondents completed multiple ratings when more than one City agency was involved in the complaint investigation and resolution process.

<sup>&</sup>lt;sup>7</sup>The references to the Citizens Service Bureau include information on both direct contacts and contacts referred from the Mayor's Office.

The Citizens Service Bureau survey ratings consistently exceeded the ratings for other City agencies. The higher ratings may be attributed to the Citizens Service Bureau's policies, which emphasize timely responses to citizens, and the benefits of a dedicated City complaint resource with a core mission of assisting citizens in resolving service requests and issues. In narrative comments, numerous survey respondents expressed frustration with City departments' inconsistent or delayed communications in responding to initial inquiries or complaint issues. Survey respondents also attributed delayed City department communications to a lack of progress in resolving their issues. According to the Citizens Service Bureau, citizens sometimes credited Bureau staff for City departments' accomplishments in resolving complaints due to departments' untimely responses to citizens' initial contacts and the absence of routine updates on complaint status during the investigation process.

#### Survey Respondents Offered Suggestions for Improving the City's Complaint Processes

In the second section of the citizen satisfaction survey, we asked respondents to select three possible improvements for handling complaints from a survey list, or provide their own suggested improvements and other comments. Exhibit 4 below identifies frequently suggested improvements.

EXHIBIT 4 SURVEY RESPONDENTS' SUGGESTIONS FOR IMPROVEMENTS			
Suggested Improvements	Number of Respondents	Percent of Respondents	
Avoid confusion by establishing a single contact point for processing complaints.	30	43%	
Improve information provided about roles, responsibilities, and authority of City personnel responding to complaints.	28	41%	
Improve timeliness of response to initial complaint.	27	39%	
Improve records and ability to track complaints.	22	32%	
Provide routine status reports on open complaints.	21	30%	
Improve accessibility (web site, email, hours of operation).	11	16%	
Source: Office of City Auditor Citizen Complaint Process Survey Results, August 2002.			

As shown in Exhibit 4, the most frequent suggestions were to establish a single point of contact, to provide better information about the roles and responsibilities of those involved in the complaint process, and to improve timeliness in responding to the initial complaints. In narrative comments, survey respondents expressed frustration regarding referrals to other contacts during efforts to file or resolve complaints. Difficulties in identifying the appropriate City department representatives delayed complaint resolutions, and created a perception among some survey respondents that City employees were not accountable. In addition, survey respondents were frustrated when the rationale for action or inaction was not clear.

#### SUGGESTIONS FOR IMPROVEMENT

Please see suggestions following Conclusion 3.

#### <u>Conclusion 2: An Ombudsman Function Could Enhance Citizen Understanding and</u> Confidence in City's Complaint Resolution Processes.

During the review, audit staff contacted ombudsman offices in other jurisdictions to obtain comparative data on citizen satisfaction with their complaint processes. We selected ombudsman's offices for the comparative review because complaint offices with ombudsman functions adhere to high professional standards established by the United States Ombudsman Association. We identified only four ombudsman offices in state and local government that conducted citizen satisfaction surveys: King County Ombudsman, City of Portland Office of the Ombudsman, State of Arizona Ombudsman, and State of Alaska Ombudsman Office.

With one exception, the Citizens Service Bureau's rankings were comparable to or slightly lower than the rankings of the other jurisdictions. Exhibit 5 below displays the survey results for those jurisdictions that asked comparable questions along with the results obtained from our survey.

## EXHIBIT 5 SURVEY RESULTS OF CITIZEN SATISFACTION WITH OTHER PUBLIC AGENCY COMPLAINT PROCESSES

Survey Questions	Citizens Service Bureau	King County	Portland	State of Arizona	State of Alaska
Response to complaint was timely.	81%	86%	96%	96%	80%
Complainant was treated fairly.	85%	83%		90%	85%
Complainant was treated courteously.	89%	94%	96%	98%	96%
Complainant was satisfied with the overall service received.	63%	78%	84%	90%	78%
Complainant was satisfied with the outcome of complaint.	72%				69%

Note: We only included results for survey questions for which we had comparable data from the four other jurisdictions.

Source: Office of City Auditor Citizen Complaint Process Survey Results, August 2002, and Office of City Auditor Survey of Other Complaint-Handling Agencies, October 2002.

Based on the survey results from other jurisdictions, we found that the percentage of citizens indicating that they were treated fairly by the Citizens Service Bureau during the complaint process was comparable to the citizen satisfaction ratings received by the other jurisdictions. The percentages of citizen satisfaction ratings for the Citizens Service Bureau's timeliness and courteous treatment were slightly lower. These findings are noteworthy given the Citizens Service Bureau's substantial contacts and workload volume (i.e., 61,000 contacts in 2002), and the high professional standards that an ombudsman function must adhere to in conducting complaint investigations.

The percentage of citizens satisfied with the *overall service received* from the Citizens Service Bureau was 15 to 27 percentage points lower than the percentage ratings provided by citizens in other jurisdictions, but the percentage satisfied with the *outcome* of their complaints was only slightly lower than the ratings for the other jurisdictions' rankings. Note that the Citizens Service Bureau rating for citizen satisfaction with the complaint outcome was three percentage points higher than the State of Alaska's rating, which was the only other jurisdiction that asked a comparable question.

The fact that the Citizens Service Bureau's overall ratings were generally comparable to the ombudsman's ratings in four other jurisdictions is noteworthy given its expanded service role in providing information and referrals, responses to service requests, and complaint investigations. Although the majority of the Citizens Service Bureau complaint contacts involve routine and recurring complaint issues, 12 percent of the complaint contacts involved more complex issues relating to City policy and procedures as shown in Exhibit 2. The Bureau does not have sufficient resources to perform extensive or complex investigations comparable to those typically conducted by ombudsman functions. Establishing a complaint-handling function with dedicated analytical and investigative services would enhance the City's existing complaint process.

Unresolved complaints or a lack of confidence in complaint outcomes can be costly to the City as frustrated citizens elevate complaints to high-level department officials, or seek legal remedies. Unresolved complaints may eventually require intervention by elected officials, whose time is divided among many critical priorities, or result in expensive legal claims. Establishing an ombudsman function could provide an additional resource for citizens to seek resolution of complaint issues, particularly when complaint issues surface that require more extensive analysis than the Citizens Service Bureau can provide given the Bureau's annual workload and current staffing. An ombudsman can also provide a "second opinion" when complainants are dissatisfied with City departments' complaint-handling services. The benefits of an ombudsman function, which typically augment existing information and complaint-handling processes, are discussed in more detail in Appendix 3.

#### SUGGESTIONS FOR IMPROVEMENT

Please see suggestions following Conclusion 3.

<u>Conclusion 3: Although City Departments Utilize Innovative Approaches to Resolve</u>
<u>Complex Complaints, the Effectiveness of the City's Responses Varies Due to the Unique or Ongoing Nature of Complex Issues.</u>

One objective of our citizen complaint review was to determine whether the City's current complaint processes are effective, particularly for recurring and complex complaints that involve multiple complainants and City departments. Although the City has established formal processes, such as the Neighborhood Action Team Seattle and Employee Involvement

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<sup>&</sup>lt;sup>8</sup>This statement assumes that the satisfaction rating for overall service includes citizens' satisfaction with the resolution of their complaint issues. Three of the four jurisdictions did not have unique ratings for satisfaction with the outcome of complaints.

Committees, to respond to complex issues, information on this group of complaints is largely anecdotal. Six case summaries of complex City complaints are presented in Appendix 4 to demonstrate notable City responses to a range of policy and technical issues, and to identify common factors that challenge public officials in resolving complex issues, including:

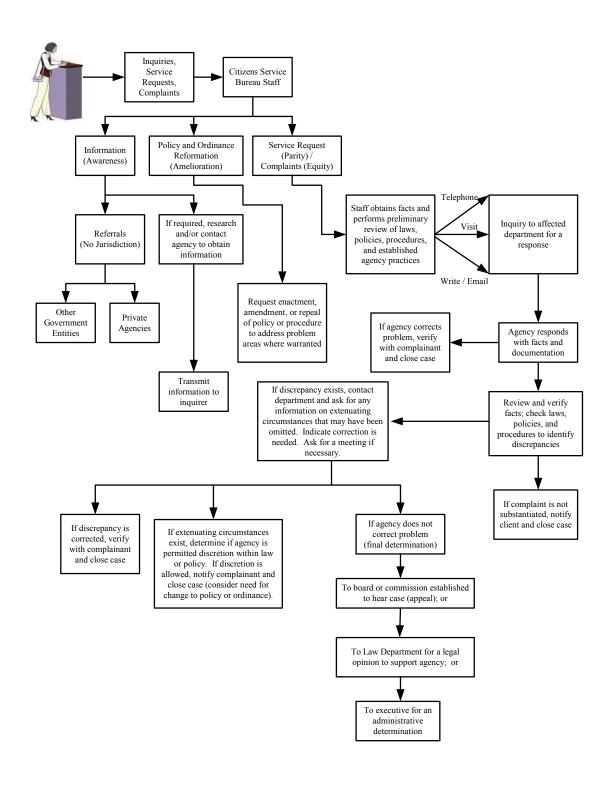
- ➤ Difficulty in implementing broad City policies when they conflict with community or individual values and interests;
- ➤ Challenges in clarifying roles and responsibilities among City departments in organizing a coordinated response to a recurring, complex City issue;
- ➤ Working with multiple complainants, community stakeholders or advocacy groups to identify and promote acceptable resolutions; and
- ➤ Long-term responsibility of the City's elected officials and departments to respond continuously and effectively to ongoing or irresolvable complex complaint issues.

The selected cases in Appendix 4 describe the City's initiative in responding to the challenges described above. The case summaries illustrate the range of professional and technical expertise available within City government to resolve issues, and the City's willingness to explore alternatives and solutions that extend beyond traditional department approaches (e.g., costly legal actions). The City's effective use of specialized, multi-agency response teams and task forces is also discussed in the cases. Affected community groups or stakeholders and City personnel with expertise in relevant policy and technical areas were often represented on the task forces. Although the City's efforts in some cases resulted in temporary resolutions or addressed only limited aspects of the complaints, City departments believed their efforts contributed to increased citizen confidence and trust in City government.

#### SUGGESTIONS FOR IMPROVEMENT

- 1. City departments that frequently respond to service requests or complaint issues should consider increasing the timeliness and frequency of their communications with citizens and providing routine updates on the status of efforts to resolve issues.
- 2. City departments should consider cost-effective methods to educate staff and better inform citizens about key contact points for reporting complaints and the roles and responsibilities of personnel who primarily respond to citizen inquiries and issues.

#### APPENDIX 1 CITIZENS SERVICE BUREAU OPERATION FLOWCHART



# APPENDIX 2 OFFICE OF CITY AUDITOR CITIZEN COMPLAINT SURVEY SUMMARY

The Office of City Auditor administered the citizen complaint survey to 239 individuals who contacted the Citizens Service Bureau about complaints between May 2001 and June 2002. We received 69 valid responses. The following is a summary of the survey results, which included 27 ratings for the Citizens Service Bureau and 81 ratings for other City agencies.

Citizens Service Bureau (27 Total Responses)	Number of Ratings	Agree with Statement	
I understood the process for handling my complaint.	25	20	80%
My complaint was responded to in a timely manner.	26	21	81%
I was treated fairly.	26	22	85%
I was treated courteously.	27	24	89%
I am satisfied with the overall service I received.	27	17	63%
I am satisfied with the outcome of my complaint.	25	18	72%
I understood the policy that affected the outcome of my complaint.	24	16	67%
Other City Departments (81 Total Responses)	Number of Ratings	Agree with Statement	
I understood the process for handling my complaint.	76	44	58%
My complaint was responded to in a timely manner.	80	31	39%
I was treated fairly.	77	38	49%
I was treated courteously.	78	51	65%
I am satisfied with the overall service I received.	77	30	39%
I am satisfied with the outcome of my complaint.	73	32	44%
I understood the policy that affected the outcome of my complaint.	66	34	52%
Citywide (108 Total Responses)	Number of Ratings	Agree with Statement	
I understood the process for handling my complaint.	101	64	63%
My complaint was responded to in a timely manner.	106	52	49%
I was treated fairly.	103	60	58%
I was treated courteously.	105	75	71%
I am satisfied with the overall service I received.	104	47	45%
I am satisfied with the outcome of my complaint.	98	50	51%
I understood the policy that affected the outcome of my complaint.	90	50	56%

# APPENDIX 3 POTENTIAL BENEFITS AND ORGANIZATIONAL ARRANGEMENTS FOR A CITY OMBUDSMAN FUNCTION

Our complaint survey ratings indicated that survey respondents were generally satisfied with the services provided by the Citizens Service Bureau. However, the Bureau's annual 61,000 contacts require complaint investigators to respond to a myriad of requests for information, services, and other assistance in addition to complaint investigations. An ombudsman typically serves as a dedicated complaint investigator who focuses extensively, if not exclusively, on complaint investigations. Due to its specialized role and adherence to national ombudsman standards, an ombudsman function generally has significant credibility. The benefits and organizational arrangements for an ombudsman function are discussed below.

An ombudsman is an independent government official who is authorized to investigate complaints regarding administrative policies and procedures, or the actions of public officials and employees. The American Bar Association identifies three essential characteristics for an ombudsman function: independence, impartiality in conducting investigations, and confidentiality. Ombudsman functions offer citizens impartial investigations by independent, knowledgeable and highly skilled complaint investigators.

#### **Benefits of an Ombudsman Function**

An ombudsman function typically augments existing agency complaint mechanisms. The ombudsman generally does not become involved in a complaint until the third stage, or after the citizen is unable to satisfactorily resolve the issue through the department's complaint processes. An ombudsman may become involved in the second stage if an agency can not conduct cost-effective, independent investigations on complex cases, or if a complaint investigation serves a broader public purpose such as improving an ineffective policy. The ombudsman may also be formally authorized to initiate independent, discretionary reviews of policies or practices without receiving a citizen complaint to help avoid or minimize costs associated with potential complaints.

The United States Ombudsman Association has developed standards to evaluate the merits of complaints that are subject to ombudsman investigations. The types of administrative actions that may merit independent complaint investigations include those allegedly characterized by:

- ➤ Unfairness, partiality, or unreasonableness;
- ➤ Violation or arbitrary application of laws or regulations;
- Actions that are inconsistent with a department's purpose or mission;
- ➤ Unreasonable delay, or inadequate or discourteous first-level response;
- Administrative error or disagreement within discretionary decisions; and
- Unclear or inadequately explained justifications for decisions.

#### Organizational Arrangements for an Ombudsman Function

Three organizational arrangements are commonly found in government ombudsman functions: an executive ombudsman, citizen (community) ombudsman, and classical (legislative) ombudsman. The table below provides an overview of the three organizational arrangements.

OVERVIEW OF OMBUDSMAN'S ORGANIZATIONAL OPTIONS				
STRENGTHS	WEAKNESSES			
Executive Ombudsman				
<ul> <li>Can be established quickly on order of executive.</li> <li>Can influence other executive appointees more effectively to expedite investigations.</li> </ul>	<ul> <li>May not fully address matters that conflict with the executive's interests.</li> <li>May not be perceived as neutral because of affiliation with executive.</li> </ul>			
Citizen (Commu	unity) Ombudsman			
<ul> <li>Able to deal with complaints of all kinds, including occasional private matters.</li> <li>Recommendations accorded respect because of broad sponsorship.</li> </ul>	<ul> <li>Funding uncertain from year to year.</li> <li>May assume citizen advocacy role.</li> <li>Possible pressures from sponsoring organizations.</li> </ul>			
Classical (Legisl	ative) Ombudsman			
<ul> <li>Traditional, preferred model of United States Ombudsman Association.</li> <li>Independent, free of executive pressure or political concerns.</li> <li>Institutionalized beyond executive's or appointing body's term or favor.</li> <li>Offers legislators and other agencies a place to refer difficult constituent complaints.</li> </ul>	<ul> <li>Limited authority to influence executive agencies.</li> <li>Subject to budgetary and personnel restraints of legislative bodies.</li> <li>Sometimes subject to service requests from legislative bodies.</li> <li>Delegating complaint responsibilities may be inconsistent with legislators' interests.</li> </ul>			

#### **Executive Ombudsman Function**

Seven Locks Press (Cabin John, MD: 1988) p. 38.

As shown in the table above, the first organizational arrangement is an ombudsman function aligned with the executive branch. The chief executive officer generally appoints the executive ombudsman, conferring specific authority and powers to the ombudsman for investigating complaints regarding executive departments.

Due to chief executive support, the executive ombudsman is in an ideal position to expedite departments' actions in responding to complaints. The executive ombudsman also tends to operate at the primary level of grievance resolution, and is generally effective in influencing departments to expedite requests for services and respond to routine questions and complaint issues. The executive ombudsman is most effective in improving accountability within an agency, but may not have sufficient time to conduct in-depth investigations or reviews due to other information and service requests.

Because the executive ombudsman serves at the executive's discretion, the ombudsman function may not be institutionalized. If a complaint outcome is unfavorable, citizens may also perceive that the executive ombudsman serves the chief executive officer's or individual department interests even when the ombudsman functions independently and impartially.

#### **Citizen (Community) Ombudsman Function**

The second organizational arrangement for the ombudsman function is the citizen (community) ombudsman. Other jurisdictions have established various forms for citizen or community-based ombudsman functions, including specialty ombudsman functions. The citizen ombudsman function may be established through nonprofit agencies, tripartite agencies (comprised of public officials, citizens, and community-based organizations), independent commissions appointed by local government officials, and other similar arrangements. Commissioners generally appoint the citizen ombudsman with the participation and financial assistance of the local government.

The primary advantage of a citizen ombudsman is the distinct separation from agencies that the ombudsman investigates. This increases citizens' confidence not only in complaint investigations, but, ultimately, in government agencies. The citizen ombudsman arrangement is also effective in improving relationships between public officials and citizens. The absence of direct affiliation with the executive team and full-time management oversight of the investigative function may limit the citizen ombudsman's effectiveness in dealing successfully with public officials or in resolving issues.

#### Classical (Legislative) Ombudsman Function

The third organizational arrangement for the ombudsman function is the classical (legislative) ombudsman, which is considered the model arrangement by the United States Ombudsman Association. The legislative authority generally appoints the classical ombudsman to a fixed term of office. This provides the ombudsman greater independence in conducting investigations and making recommendations without fear of restrictions or that the office will be abolished.

The classical ombudsman typically focuses on extensive complaint investigations that often serve a broad public interest, in contrast to the executive ombudsman, whose primary focus is to address constituent-related, service requests. It is essential that the classical ombudsman refer service and information requests to the executive branch agencies.

The classical ombudsman function generally promotes greater citizen trust and confidence in public officials and processes because it is removed from the agencies it investigates. The classical ombudsman is not vested in "protecting" executive departments, so citizens also gain trust and confidence in government if the ombudsman is authorized to initiate reviews of executive departments without receiving formal citizen complaints. The classical ombudsman also serves as a resource through which citizens may seek "second opinions" or confirmation of executive department decisions that are perceived to be unfavorable. The classical ombudsman's separation from the Mayor or agencies under investigation may be a challenge in maintaining cooperative relationships with the executive agencies when resolving complaint issues.

## APPENDIX 4 COMPLEX COMPLAINT CASE SUMMARIES

The cases on the following six pages highlight the City's initiative in responding effectively to recurring and complex complaints, and complaints that involve multiple complainants and City departments. As noted in Chapter 2, the case summaries illustrate the range of professional and technical expertise available within City government to resolve issues, and the City's willingness to explore alternatives and solutions that extend beyond traditional department approaches.

The City's effective use of specialized, multi-agency response teams and task forces are also discussed in the cases. The task forces often included affected community groups or stakeholders as well as department representatives with expertise in relevant policy and technical areas. Although the City's efforts in some cases resulted in temporary resolutions or addressed only limited aspects of the complaints, City departments believed their efforts contributed to increased citizen confidence and trust in City government.

## APPENDIX 4 YESLER TERRACE COMPLAINT

Complainant: Yesler Community Group Initial Contact: Police Department Date of Contact: Spring 2000 Date of Resolution: Summer 2000 Resolution: Community groups and multiple agencies met to implement improvements.

Overall Assessment: Community appreciated the City's efforts to enhance public safety.

In early spring of 2000, the body of a female homicide victim was discovered near a public walkway located in a neglected area. Residents of the Yesler Terrace Public Housing Development frequently used the walkway as a connector to the nearby International District and Little Saigon. The unlit, litterstrewn, weeded area adjacent to the walkway became a popular loitering space and encampment for transients, including chronic public inebriates and drug abusers. Litter was strewn throughout the area.

Although the Seattle Police Department was responsible for responding to the homicide, multiple public agencies owned the properties adjacent to the walkway. No single agency had jurisdiction for developing a long-term strategy to prevent future public safety and community access problems. The Mayor ultimately asked the Department of Neighborhoods to coordinate a multi-jurisdictional response. The agencies involved included Seattle's Police, City Light, Public Utilities, and Transportation departments; Washington State Departments of Corrections and Transportation; and the Seattle Housing Authority.

In June 2000, the Department of Neighborhoods Service Center Coordinator convened a stakeholder group to assess the area, and to identify critical needs and potential improvements. The stakeholder group included a number of Yesler Terrace residents in addition to representatives from the City, Washington State, and Seattle Housing Authority. A plan was developed and presented with the assistance of two interpreters to a large group of Yesler Terrace residents for review and comment. The Neighborhood Service Center Coordinator worked with representatives from the City and other agencies to implement the approved improvement plan, which included:

- > Seattle City Light installed lighting along the walkway;
- ➤ Washington State Departments of Corrections and Transportation repaired a chain-link fence to block off access to transient sleeping areas located under the freeway;
- The City Department of Neighborhoods allocated funds to fix the railing along the public walkway;
- ➤ Department of Corrections provided a work crew to remove the litter, makeshift encampment, and weeds along both sides of the walkway; and
- ➤ The Seattle Department of Transportation cordoned off the walkway.

The responding agencies completed the planned improvements by the mid-summer of 2000, despite the involvement of multiple jurisdictions, extensive coordination of public meetings and organization of numerous work crews. The responding agencies continue to coordinate efforts to maintain public safety in the area. The Seattle Housing Authority, later identified as the owner of the property, now maintains the site (i.e, cuts weeds and removes litter). The Yesler Terrace community was appreciative of the City's efforts to enhance public safety and the appearance of the site, and requested City funding to construct a terraced community garden on the site in the future.

## APPENDIX 4 CARKEEK PARK ROADWAY AND TREE COMPLAINT

Complainant: Numerous Neighbors Initial Contact: City Arborist, SDOT Date of Contact: March 2000 Date of Resolution: April 2002 Resolution: Numerous City representatives met with neighbors to address the complaints. Overall Assessment: Tree issues will recur although this specific complaint was resolved.

In March 2000, a citizen complained that leaning trees and overhanging branches along the road to Carkeek Park were dangerous, and asked the City to remove them. The City Arborist inspected the area, and assigned a crew to remove the dangerous trees and branches. However, the complainant was dissatisfied with results, and encouraged neighbors to file similar complaints with the City.

Numerous property owners adjacent to Carkeek Park Road contacted various City agencies regarding dangerous trees and branches between March 2000 and February 2002. The City Arborist conducted field inspections and determined that most of the trees and branches did not pose a significant public risk. Again, the City removed only the dangerous trees and broken branches overhanging the road.

The City Arborist's actions in response to the complaints were consistent with the City's Critical Areas Ordinance. The ordinance established new guidelines for monitoring trees and restrictions for removing trees from Environmentally Critical Areas including landslide-prone, steep slopes, and fish and wildlife habitat conservation areas. The Critical Areas Ordinance also created a culture shift for many longtime Seattle residents, who were previously able to cut trees at will, including trees that blocked residential views. New questions surfaced regarding private property rights versus public roadway safety and environmental issues.

Tree removal was further complicated because Seattle's Department of Transportation, City Light, the Department of Parks and Recreation, and the Washington State Department of Transportation share jurisdictional responsibility for City trees. The City Arborist was responsible for maintaining and removing only those trees and branches planted by the City. Fallen trees and debris that originate from private property were cut and placed back on the owner's property.

In March 2002, property owners in the Carkeek Park neighborhood contacted a City Councilmember, whose staff organized a meeting in April with six Carkeek Park neighbors and 30 representatives from six City departments to address complaint issues. The meeting resulted in:

- ➤ Removal of additional trees along the road to Carkeek Park;
- > Increased citizen understanding of the current City policies, procedures, and risk levels;
- > Improved coordination between City departments in resolving tree issues; and
- Revision of the City policy regarding disposal of tree debris. The City now disposes of debris from trees planted on private property that falls on City rights-of-way.

Although the City's meeting with the Carkeek Park neighborhood yielded significant improvements, issues regarding trees will continue to surface Citywide due to the City's ongoing responsibility for balancing public safety and environmental issues with neighborhood interests.

#### APPENDIX 4 HOARDER HOUSE TASK FORCE

Complainant: Numerous Neighbors Initial Contact: Police/DCLU

Date of Contact: Summer 1999 Date of Resolution: August 2001

Resolution: City personnel and volunteer groups cleaned the house and property.

Overall Assessment: City efforts were successful, but hoarding is a recurring City issue.

Compulsive accumulation of objects with limited or no value—hoarding—is a common psychological syndrome. Often reclusive, hoarders collect and save items for years, such as newspapers, food products, construction materials, and unworn clothing. Over time, the accumulated objects may cause public health and safety hazards.

The Seattle Housing and Building Maintenance Code establish occupancy, structural, and fire and safety standards for habitable buildings. The intent of the standards is to preserve existing housing, and to prevent neighborhood blight and residential conditions that give rise to infestations or pollution. Compliance with the housing and building standards is critical to ensure the health, safety, and welfare of the general public. Neighbors frequently file formal complaints when homeowners hoard objects that violate these standards.

The City's process for responding to a hoarding case is typically initiated when the Department of Design, Construction and Land Use declares a home unfit for human habitation. In extreme cases, the City may file a civil suit if homeowners do not address unsafe conditions. The City has historically organized specialized, multi-agency task forces to respond to difficult hoarding cases because multiple public agencies have jurisdiction for responding to the related issues. The task forces, generally comprised of representatives from the Departments of Design, Construction and Land Use, Human Services, Law, Fire, and Police, as well as the Mayor's Office for Senior Citizens, the Seattle-King County Public Health, and Evergreen Healthcare, respond to hoarder cases Citywide, prioritizing cases based on established protocols.

City task force members have adopted proactive strategies to encourage hoarders to clean and repair their homes voluntarily. Homeowners are given deadlines to repair any structures or conditions that violate the City code (e.g., pest infestation, accumulation of garbage, or conditions that pose a risk of illness or injury to occupants or the general public). City staff may assist in removing accumulated objects or repairing and restoring properties, and may also maintain communications with hoarders following cleanup efforts to continue monitoring health and safety conditions. Although hoarders are typically unable to maintain the restored conditions over time, the task force works with them to promote voluntary efforts to address public health and safety issues.

In one successful task force resolution, a Seattle Police Department Community Service Officer regularly visited a widowed homeowner, who was placed on notice for code violations. Over the course of the regular visits, the Community Service Officer and homeowner established a trusting relationship. The homeowner eventually allowed the Community Service Officer to organize an initial cleanup effort in 1999 and a more comprehensive effort in 2001. The City volunteer cleanup team also installed new appliances, painted the home, and hung curtains. As a result of the task force efforts, the homeowner was able to remain in her home.

### APPENDIX 4 UNIVERSITY PARK ZONING CODE COMPLAINTS

Complainant: Neighbor Initial Contact: DCLU

**Resolution:** DCLU contacted and worked with landlord to improve compliance with City codes. **Overall Assessment:** The City resolved the complaint, but residents were not fully satisfied due to

ongoing overcrowding. Education and outreach efforts have helped reduce violations.

The University Park area was reclassified from a multifamily zoning classification to a single-family residential zoning classification during the 1980s. Given the proximity of the neighborhood to the University of Washington campus and the high demand for affordable rental units, area landlords engaged in rental practices that were inconsistent with single-family zoning requirements, including:

- > Occupancy Standards. No more than eight unrelated individuals can occupy a single residence.
- ➤ Outdoor Storage Limitations. Temporary outdoor storage of waste, discarded, salvaged or used materials, or inoperable vehicles or vehicle parts is prohibited in the single-family zone.
- ➤ Parking Limitations. Parking vehicles in front and side yards or on planting strips, or parking more than three vehicles outdoors is generally prohibited in single-family zones.
- > Standards for the Use of Structures. Illegal dwelling units, such as the use of garage space for tenant space and garages for nonresident parking, are prohibited in single-family zones.

Numerous complaints were filed regarding violations of the above code provisions. In some cases, landlords and tenants were unaware of the zoning code requirements limiting occupancy of single-family residences. Other landlords knowingly violated the zoning code.

In one case, a complainant presented a flyer to the Department of Design, Construction and Land Use (DCLU), advertising a single-family unit as a ten-bedroom residence, and displaying interior photographs of the bedroom units that violated the zoning code. DCLU contacted the landlord and was able to resolve the zoning issues within one month. The landlord restructured the unit to meet code requirements, re-advertised the home as an eight-bedroom unit, updated the rental agreement to restrict the number of boarders, and agreed not to use certain rooms for bedrooms.

Previously, DCLU had inspected 524 University Park-area residential units within a three- to five-month period in an effort to enforce the zoning code. DCLU worked with landlords and complainants to resolve issues. DCLU also began a proactive mailing campaign to educate University Park residents and landlords about zoning requirements in October 2002. Fifteen hundred (1,500) letters were mailed to University Park residents and landlords, containing zoning code requirements and contact information for reporting potential violations.

Although the City successfully resolved the complaint referenced above and improved its strategy for handling University Park-area zoning violations, single-family residents were not fully satisfied with the outcome due to ongoing, overcrowded conditions in the University Park area. Further zoning violations are also anticipated due to the limited supply and high demand for housing in the University Park area. Yet, DCLU indicated that the City's efforts to improve communication, public education, and zoning code enforcement have been beneficial.

#### APPENDIX 4 LAKE CITY DRUG HOUSE

Complainant: Numerous Neighbors

Date of Contact: Early 1990s

Initial Contact: Police Department

Date of Resolution: March 2002

**Resolution:** Improved health and safety of a Lake City neighborhood.

Overall Assessment: Complaint was resolved, but drug abuse is an ongoing City issue.

For ten years, a Lake City neighborhood was distressed by illegal and disorderly activities involving a neighboring couple with two adult male children. Area residents placed numerous 911 calls over the ten-year period about excessive traffic, speeding cars, loud and disorderly conduct, drug activity, gunfire, inoperable cars, and an unleashed dog. Additionally, buckets of raw sewage surrounded the home and rats infested the property.

The Police Department's Crime Prevention Unit organized the first neighborhood meeting regarding the household during the summer of 2001. A City Councilmember, the Coordinator for the Neighborhood Action Team Seattle (an interdepartmental/intra-agency team composed of staff from City and other government agencies that respond to community public safety and livability issues), and 40 citizens attended the meeting. Following the initial meeting, the Coordinator organized an action team composed of representatives from the departments of Design, Construction and Land Use, Law, Public Health Department-Seattle and King County, and Police, and scheduled a series of meetings to address specific violations of the housing and building, health, and criminal codes. Two additional neighborhood meetings were held to share information with the neighbors on efforts to develop a long-term resolution.

Ultimately, the Law Department filed a criminal case against the family based on the Public Health Department's determination that the house and surrounding property were a biological hazard. The male head of the household and the two adult children fled when the criminal case was filed due to criminal histories and outstanding warrants. In March 2002, the courts ruled that none of the family members could return to the property for five years in lieu of jail time. However, if any family members returned after five years, they would be required to maintain the property in compliance with the City code and to accommodate random inspections at the City's discretion.

Members of the Neighborhood Action Team Seattle also worked with extended family members to help prevent any recurrence of the problems. The extended family members met with the Neighborhood Action Team Seattle Coordinator and representatives from the Seattle Police and Law Departments to discuss the potential consequences and further legal action should the family return to the residence. The extended family, which now owns the residence, is attempting to sell the property.

The coordinated efforts of the Neighborhood Action Team Seattle were successful in restoring public health and safety in this Lake City neighborhood. According to the Neighborhood Action Team Seattle Coordinator, the neighbors are pleased with the improved environmental health and safety of their neighborhood. Members of the Neighborhood Action Team Seattle also continue to monitor the residence to ensure that the environment remains safe.

## APPENDIX 4 STREET UTILITY CUTS COMPLAINT

Complainant: Numerous Citizens Initial Contact: SDOT

Historically, the Seattle Department of Transportation (SDOT) restored and resurfaced all street utility cuts on City streets. As the volume of street utility cuts initiated by Seattle Public Utilities (SPU), Seattle City Light, Puget Sound Energy, and other utilities increased, SDOT accrued a significant backlog of street cut repairs. Seattle citizens began to complain as delays in completing street cut repairs increased.

Although SDOT's Pavement Opening and Restoration Rules permitted other utilities to repair and resurface their own street cuts under the supervision of an SDOT inspector, SDOT was concerned about defective repairs and the accountability for those repairs. Consequently, SDOT encouraged other utilities to allow SDOT to complete the restoration work.

Given the importance of restoring utility street cuts to the City's standard and the increasing repair backlog, SDOT, SPU, and City Light representatives formed a Utility Cuts Employee Involvement Committee (EIC) in February 2000. (The City has organized a series of Employee Involvement Committees to respond to recurring, complex complaints, such as the street utility cut issues.) EIC members reviewed the processes for restoring utility cuts, from the permitting to the initial street opening and from restoring the cuts to billing activities. During the review process, the EIC representatives increased their understanding of the roles and responsibilities for street cuts and developed recommendations to improve the efficiency and coordination of restoration work while maintaining high-quality standards. EIC representatives developed initial recommendations in October 2000 and additional recommendations in March 2001. SDOT, SPU, and City Light officials, approved and helped implement these recommendations.

Effective October 2001, SDOT implemented a successful Pilot Panel Opening Policy Project for the City's non-arterial and non-bus route residential streets. This pilot project allows Puget Sound Energy to restore the streets it services, subject to SDOT specifications and inspections. The City was able to significantly reduce its street cut repair backlog because Puget Sound Energy now routinely repairs all of its street cuts in three to four weeks.

SDOT also implemented a successful pilot program with SPU Water Operations. SPU Water Operations crews backfill utility cuts to paving depth, then contact SDOT to complete the final restoration work. The pilot program decreased restoration times from a high of 180 to 58 days. In 2001, SDOT repaired 76 percent of the SPU Water Operations street cuts within two weeks.

Another benefit from the Utility Cuts EIC was increased communication and coordination among the City departments responsible for street utility repairs. The interdepartmental relationships formed by the EIC representatives also continue to be beneficial in identifying and implementing innovative solutions to street cut process issues.

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